

# EXHIBIT 10

PUBLIC VERSION FILED 9/2/2022

## 2019-2020 ACADEMIC YEAR CALENDAR

Graduate Accelerated Session Calendar may be found [here](#).

Information on religious observances at bottom of calendar.

FOR THE MOST UP-TO-DATE INFORMATION, PLEASE REFER TO THE ONLINE CALENDAR, RATHER THAN A PRINTED VERSION.  
PREPARED BY THE OFFICE OF THE UNIVERSITY REGISTRAR. FOR QUESTIONS OR COMMENTS: [registrar@udel.edu](mailto:registrar@udel.edu) 11/01/2019

**Fall Semester 2019**

Apr 15	Mon	Fall book orders are due by faculty to the UD Bookstore
Apr 22	Mon	Registration begins for Fall Semester 2019
May 1	Wed	Undergraduate admission application deadline for first year students entering Fall semester
May 1	Wed	Admissions deposit deadline for admitted freshmen
Jun 25	Tue	New Student Orientation begins
Jul 1	Mon	Deadline for graduate admission applications for Fall 2019. Most programs have earlier deadlines.
Jul 24	Wed	New Student Orientation ends
Aug 1	Thu	Undergraduate tuition/fee payment deadline for Fall 2019
Aug 22-23		International Student Orientation
Aug 24-26		1743 Welcome Days for new students
Aug 24	Sat	Residence hall check-in for new students; 8:00 a.m. to 2:00 p.m.
Aug 24	Sat	First meal in dining halls for new students - lunch
Aug 25	Sun	Residence hall check-in for returning students 8:00 a.m. to 4:00 p.m.
Aug 25	Sun	First meal in dining halls for returning students - dinner
Aug 26	Mon	Academic Orientations
Aug 26	Mon	Residence hall check-in for returning students: 11:00 a.m. to 3:00 p.m.
Aug 26	Mon	Last day to apply for readmission for Fall 2019
Aug 27	Tue	Classes begin at 8:00 a.m.
Aug 27	Tue	Graduate/PCS tuition/fee payment deadline for Fall 2019. Classes subject to cancellation after this date.
Aug 30	Fri	Deadline for admission to doctoral candidacy for degrees to be conferred in December 2019 or February 2020
Sep 2	Mon	Labor Day Holiday- University offices closed; classes suspended.
Sep 10	Tue	Last day to add or drop courses. After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Sep 10	Tue	Last day to apply for a leave of absence for Fall 2019
Sep 10	Tue	Deadline for changing dining plan
Sep 10	Tue	<b>UNDERGRADUATE STUDENTS</b> - Deadline for completion of deferred examinations and incomplete work (grade I) from Spring Semester 2019 and 2019 Summer Sessions.
Sep 16	Mon	Winter 2020 book orders are due by faculty to UD Bookstore.
Sep 16	Mon	Deadline for filing application for graduate degrees to be conferred in December 2019
Oct 11	Fri	Fall Break/ Blue Hen Re-Coop Day, classes suspended
Oct 11	Fri	Deadline for midterm grades to be posted in UDSIS
Oct 15	Tue	Spring 2020 book orders are due by Faculty to UD Bookstore.
Oct 22	Tue	Last day to change registration or to withdraw from courses without academic penalty for Fall 2019.
Oct 22	Tue	<b>GRADUATE STUDENTS</b> - Deadline for completion of deferred examinations and incomplete work (grade I) from Spring Semester 2019 and 2019 Summer Sessions.
Oct 28	Mon	Registration begins for Winter Session 2020
Nov 11	Mon	Registration begins for Spring Semester 2020
Nov 14	Thu	Deadline for receipt of doctoral dissertations and education leadership portfolios for degrees to be conferred in December 2019.
Nov. 14	Thu	Deadline for receipt of master's theses for degrees to be conferred in December 2019
Nov 22	Fri	Thanksgiving break begins after last class; classes end at 10 p.m. Residence Halls close at 7:00 p.m.
Nov 22	Fri	Last meal in dining halls before Thanksgiving Break - lunch
Nov 25-29		Classes suspended Monday through Friday for Thanksgiving break
Nov 28	Thu	Holiday - University offices closed.
Nov 29	Fri	Holiday - University offices closed.
Dec 1	Sun	Residence halls re-open at noon.
Dec 1	Sun	First meal in dining halls after Thanksgiving break- dinner
Dec 2	Mon	Classes resume following Thanksgiving break
Dec 2	Mon	Deadline for graduate admission applications for Spring 2020.

Dec 2	Mon	Deadline for filing application for graduate degrees to be conferred in February 2020.
Dec 5	Thu	Last day of classes, classes end at 10:00 p.m.
Dec 5	Thu	Last day for medical leave of absence to be processed
Dec 6	Fri	Reading Day: no examinations scheduled
Dec 9	Mon	Final examinations begin
Dec 14	Sat	Final examinations end. Residence halls close at 10:00 p.m.
Dec 14	Sat	Last meal in dining halls - dinner
Dec 18	Wed	Deadline for 2019 Fall semester grades to be posted to UDSIS

**Winter Session 2020**

Sep 16	Mon	Winter book orders are due by faculty to the UD Bookstore
Oct 28	Mon	Registration begins for Winter Session 2020
Jan 5	Sun	Residence hall check-in (5-week classes) Noon to 6:00 p.m.
Jan 5	Sun	First meal in dining halls - dinner
Jan 6	Mon	Classes begin at 8:00 a.m. (5-week classes) Residence hall check-in for Winter Session walk-ins, 9:00 a.m. to 3:00 p.m.
Jan 6	Mon	Tuition/fee payment deadline for Winter Session 2020.
Jan 9	Thu	Last day to add or drop courses. (5-week classes) After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Jan 9	Thu	Deadline for changing dining plan – 5-week meal plan.
Jan 12	Sun	Residence Hall check-in (4-week classes) Noon to 6:00 p.m.
Jan 13	Mon	Classes begin at 8:00 a.m. (4-week classes) Residence hall check-in for Winter Session walk-ins, 9:00 a.m. to 3:00 p.m.
Jan 15	Wed	Deadline for receipt of dissertations, education leadership portfolios and master's theses for degrees to be conferred in February 2020.
Jan 16	Thu	Last day to add or drop courses. (4-week classes) After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Jan 16	Thu	Deadline for changing dining plan – 4-week meal plan
Jan 20	Mon	Martin Luther King Holiday - classes suspended; University offices closed.
Jan 24	Fri	Last day to change registration or withdraw. (5-week classes)
Jan 28	Tue	Last day to change registration or withdraw. (4-week classes)
Feb 7	Fri	Last day of classes
Feb 8	Sat	Final examinations. Students leaving after Winter Session must checkout of residence hall by 6:00 p.m.
Feb 8	Sat	Last meal in dining halls – dinner
Feb 12	Wed	Deadline for winter session grades to be posted to UDSIS

**Spring Semester 2020**

Oct 15	Tue	Spring book orders are due by faculty to the UD Bookstore.
Nov 1	Fri	Undergraduate admission application deadline for first year and transfer students entering Spring Semester 2020.
Nov 11	Mon	Registration begins for Spring Semester 2020
Dec 2	Mon	Deadline for graduate admission applications for Spring 2020
Jan 6	Mon	Undergraduate Tuition/fee payment deadline for Spring 2020
Feb 6	Thu	Winter International New Student Orientation
Feb 7	Fri	Winter New Student Orientation
Feb 7	Fri	Last day to apply for readmission for Spring 2020
Feb 9	Sun	Residence hall check-in noon to 6:00 p.m.
Feb 9	Sun	First meal in dining halls – brunch
Feb 10	Mon	Classes begin at 8:00 a.m. Residence hall check-in 11:00 a.m. - 3:00 p.m.
Feb 10	Mon	Graduate/PCS tuition/fee payment deadline for Spring 2020. Classes subject to cancellation after this date.
Feb 14	Fri	Deadline for filing application for graduate degrees to be conferred in May 2020.
Feb 21	Fri	Last day to add or drop courses. After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Feb 21	Fri	Last day to apply for a leave of absence for Spring 2020
Feb 21	Fri	Deadline for changing dining plan

Feb 21	Fri	<b>UNDERGRADUATE STUDENTS</b> - Deadline for completion of deferred examinations and incomplete work (grade I) from Fall Semester 2019, and Winter Session 2020.
Feb 24	Mon	Deadline for admission to doctoral candidacy for degrees conferred in May 2020.
Mar 16	Mon	Summer 2020 book orders are due by faculty to UD Bookstore.
Mar 23	Mon	<b>GRADUATE STUDENTS</b> - Deadline for completion of deferred examinations and incomplete work (grade I) from Fall Semester 2019 and Winter Session 2020.
Mar 27	Fri	Deadline for midterm grades to be posted to UDSIS
Mar 27	Fri	Spring break begins after last scheduled class; Residence halls close at 7:00 p.m.
Mar 27	Fri	Last meal in dining halls before Spring break - dinner
Apr 5	Sun	Residence halls re-open at noon.
Apr 5	Sun	First meal in dining halls after Spring break - dinner
Apr 6	Mon	Classes resume after Spring break at 8:00 a.m.
Apr 6	Mon	Registration for 2020 Summer Sessions begins
Apr 6	Mon	Deadline for graduate admission applications for June 2020.
Apr 13	Mon	Last day to change registration or to withdraw from courses without academic penalty for Spring 2020
Apr 13	Mon	Deadline for receipt of doctoral dissertations and education leadership portfolios for degrees conferred in May 2020.
Apr 15	Wed	Fall 2020 book orders are due by Faculty to UD Bookstore.
Apr 20	Mon	Registration begins for Fall Semester 2020
Apr 20	Mon	Deadline for receipt of master's thesis for degrees to be conferred in May 2020.
May 1	Fri	Undergraduate admission application deadline for first year students entering Fall 2020
May 1	Fri	Admissions deposit deadline for first year students
May 1	Fri	Deadline for admission to doctoral candidacy for degrees to be conferred in August 2020.
May 4	Mon	Deadline for filing application for graduate degrees to be conferred in August 2020.
May 18	Mon	Last class day; classes end at 10:00 p.m.
May 18	Mon	Last day for medical leave of absence to be processed
May 19	Tue	Reading Day, no examinations scheduled.
May 20	Wed	Final examinations begin.
May 25	Mon	Memorial Day observed; no exams, offices closed
May 28	Thu	Final examinations end. Residence Halls close at 10:00 p.m. (except for graduating students).
May 28	Thu	Last meal in dining halls - dinner
May 29	Fri	Honors degree breakfast, Doctoral Hooding and some college convocations.
May 30	Sat	Commencement followed by remaining college convocations.
May 30	Sat	Residence halls close at 6:00 p.m. for graduating students.
Jun 1	Mon	Deadline for Spring semester grades to be posted to UDSIS
Jun 5	Fri	Alumni Weekend begins

## First Summer Session 2020

Mar 16	Mon	Summer book orders are due by faculty to the UD Bookstore.
Apr 6	Mon	Registration for 2020 Summer Sessions begins
May 1	Fri	Deadline for admission to doctoral candidacy for degrees to be conferred in August 2020.
May 4	Mon	Deadline for filing application for graduate degrees to be conferred in August 2020.
Jun 7	Sun	Residence hall check-in for 5 and 7½ week sessions, noon to 5 p.m.
Jun 7	Sun	First meal in dining halls - dinner
Jun 8	Mon	Classes begin at 8:00 a.m. - First Summer Session

Jun 8	Mon	Tuition/fee payment deadline First Summer Session
Jun 11	Thu	Last day to add or drop courses for First Summer Session. After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Jun 11	Thu	Deadline for change in Dining plan.
Jun 25	Thu	Last day to change registration or to withdraw from courses - first summer session (5-week course).
Jul 1	Wed	Deadline for graduate admission applications for Fall 2020. Most programs have earlier deadlines.
Jul 3	Fri	Independence Day Holiday observed; Classes suspended; University Offices closed. All dining services are closed.
Jul 7	Tue	Last day to change registration or to withdraw from courses - first summer session (7½-week course).
Jul 10	Fri	Classes end – 5-week Summer Session.
Jul 11	Sat	Final examinations- 5-week Summer Session. Students attending 5-week summer session to check out of residence halls by 7:00 p.m.
Jul 15	Wed	Deadline for 5-week Summer Session grades to be posted to UDSIS.
Jul 27	Mon	Classes end – 7½-week Summer Session classes meeting Monday/Wednesday.
Jul 28	Tue	Classes end – 7½-week Summer Session classes meeting Tuesday/Thursday.
Jul 29	Wed	Final exams - 7½-week Summer Session classes meeting Monday/Wednesday.
Jul 30	Thu	Final exams - 7½-week Summer Session classes meeting Tuesday/Thursday. Students attending 7½-week sessions to check out of residence halls by 7:00 p.m.
Aug 3	Mon	Deadline for 7½-week Summer Session grades to be posted to UDSIS.

## Second Summer Session 2020

Mar 16	Mon	Summer book orders are due by faculty to the UD Bookstore.
Apr 6	Mon	Registration for 2020 Summer Sessions begins.
Jul 12	Sun	Residence halls check-in noon to 5:00 p.m.
Jul 13	Mon	Classes begin at 8:00 a.m. - Second Summer Session
Jul 13	Mon	Tuition/fee payment deadline for Second Summer Session.
Jul 13	Mon	Deadline for receipt of doctoral dissertations, education leadership portfolios and master's theses for degrees to be conferred in August 2020.
Jul 16	Thu	Last day to add or drop courses for Second Summer Session. After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Jul 16	Thu	Deadline for change in Dining plans.
Jul 30	Thu	Last day to change registration or to withdraw from courses - Second Summer Session.
Aug 13	Thu	Last day of classes – Second Summer Session.
Aug 14	Fri	Final examinations. Residence halls close for Second Summer Session at 7:00 p.m.
Aug 14	Fri	Last meal in dining halls - dinner.
Aug 18	Tues	Deadline for Second Summer Session grades to be posted to UDSIS.

## RELIGIOUS OBSERVANCES

Sunday, September 29, 2019 – Rosh Hashanah begins at sundown, continues next 2 days  
 Tuesday, October 8, 2019– Yom Kippur begins at sundown, continues following day  
 Wednesday, April 8, 2020 - Passover begins, continues for 7 days  
 Friday, April 10, 2020 – Good Friday

See policy in Faculty Handbook on [excused absences](#). Comprehensive List of Observances can be found here: [Interfaith calendar](#)

# EXHIBIT 11

PUBLIC VERSION FILE 9/2/2022

## 2019-2020 ACADEMIC YEAR CALENDAR

Graduate Accelerated Session Calendar may be found [here](#).

Information on religious observances at bottom of calendar.

FOR THE MOST UP-TO-DATE INFORMATION, PLEASE REFER TO THE ONLINE CALENDAR, RATHER THAN A PRINTED VERSION.  
PREPARED BY THE OFFICE OF THE UNIVERSITY REGISTRAR. FOR QUESTIONS OR COMMENTS: [registrar@udel.edu](mailto:registrar@udel.edu) 4/22/2020

**Fall Semester 2019**

Apr 15	Mon	Fall book orders are due by faculty to the UD Bookstore
Apr 22	Mon	Registration begins for Fall Semester 2019
May 1	Wed	Undergraduate admission application deadline for first year students entering Fall semester
May 1	Wed	Admissions deposit deadline for admitted freshmen
Jun 25	Tue	New Student Orientation begins
Jul 1	Mon	Deadline for graduate admission applications for Fall 2019. Most programs have earlier deadlines.
Jul 24	Wed	New Student Orientation ends
Aug 1	Thu	Undergraduate tuition/fee payment deadline for Fall 2019
Aug 22-23		International Student Orientation
Aug 24-26		1743 Welcome Days for new students
Aug 24	Sat	Residence hall check-in for new students; 8:00 a.m. to 2:00 p.m.
Aug 24	Sat	First meal in dining halls for new students - lunch
Aug 25	Sun	Residence hall check-in for returning students 8:00 a.m. to 4:00 p.m.
Aug 25	Sun	First meal in dining halls for returning students - dinner
Aug 26	Mon	Academic Orientations
Aug 26	Mon	Residence hall check-in for returning students: 11:00 a.m. to 3:00 p.m.
Aug 26	Mon	Last day to apply for readmission for Fall 2019
Aug 27	Tue	Classes begin at 8:00 a.m.
Aug 27	Tue	Graduate/PCS tuition/fee payment deadline for Fall 2019. Classes subject to cancellation after this date.
Aug 30	Fri	Deadline for admission to doctoral candidacy for degrees to be conferred in December 2019 or February 2020
Sep 2	Mon	Labor Day Holiday- University offices closed; classes suspended.
Sep 10	Tue	Last day to add or drop courses. After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Sep 10	Tue	Last day to apply for a leave of absence for Fall 2019
Sep 10	Tue	Deadline for changing dining plan
Sep 10	Tue	<b>UNDERGRADUATE STUDENTS</b> - Deadline for completion of deferred examinations and incomplete work (grade I) from Spring Semester 2019 and 2019 Summer Sessions.
Sep 16	Mon	Winter 2020 book orders are due by faculty to UD Bookstore.
Sep 16	Mon	Deadline for filing application for graduate degrees to be conferred in December 2019
Oct 11	Fri	Fall Break/ Blue Hen Re-Coop Day, classes suspended
Oct 11	Fri	Deadline for midterm grades to be posted in UDSIS
Oct 15	Tue	Spring 2020 book orders are due by Faculty to UD Bookstore.
Oct 22	Tue	Last day to change registration or to withdraw from courses without academic penalty for Fall 2019.
Oct 22	Tue	<b>GRADUATE STUDENTS</b> - Deadline for completion of deferred examinations and incomplete work (grade I) from Spring Semester 2019 and 2019 Summer Sessions.
Oct 28	Mon	Registration begins for Winter Session 2020
Nov 11	Mon	Registration begins for Spring Semester 2020
Nov 14	Thu	Deadline for receipt of doctoral dissertations and education leadership portfolios for degrees to be conferred in December 2019.
Nov. 14	Thu	Deadline for receipt of master's theses for degrees to be conferred in December 2019
Nov 22	Fri	Thanksgiving break begins after last class; classes end at 10 p.m. Residence Halls close at 7:00 p.m.
Nov 22	Fri	Last meal in dining halls before Thanksgiving Break - lunch
Nov 25-29		Classes suspended Monday through Friday for Thanksgiving break
Nov 28	Thu	Holiday - University offices closed.
Nov 29	Fri	Holiday - University offices closed.
Dec 1	Sun	Residence halls re-open at noon.
Dec 1	Sun	First meal in dining halls after Thanksgiving break- dinner
Dec 2	Mon	Classes resume following Thanksgiving break
Dec 2	Mon	Deadline for graduate admission applications for Spring 2020.
Dec 2	Mon	Deadline for filing application for graduate degrees to be conferred in February 2020.

Dec 5	Thu	Last day of classes, classes end at 10:00 p.m.
Dec 5	Thu	Last day for medical leave of absence to be processed
Dec 6	Fri	Reading Day: no examinations scheduled
Dec 9	Mon	Final examinations begin
Dec 14	Sat	Final examinations end. Residence halls close at 10:00 p.m.
Dec 14	Sat	Last meal in dining halls - dinner
Dec 18	Wed	Deadline for 2019 Fall semester grades to be posted to UDSIS

**Winter Session 2020**

Sep 16	Mon	Winter book orders are due by faculty to the UD Bookstore
Oct 28	Mon	Registration begins for Winter Session 2020
Jan 3	Fri	Last day to apply for readmission for Winter 2020
Jan 5	Sun	Residence hall check-in (5-week classes) Noon to 6:00 p.m.
Jan 5	Sun	First meal in dining halls - dinner
Jan 6	Mon	Classes begin at 8:00 a.m. (5-week classes) Residence hall check-in for Winter Session walk-ins, 9:00 a.m. to 3:00 p.m.
Jan 6	Mon	Tuition/fee payment deadline for Winter Session 2020.
Jan 9	Thu	Last day to add or drop courses. (5-week classes) After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Jan 9	Thu	Deadline for changing dining plan – 5-week meal plan.
Jan 12	Sun	Residence Hall check-in (4-week classes) Noon to 6:00 p.m.
Jan 13	Mon	Classes begin at 8:00 a.m. (4-week classes) Residence hall check-in for Winter Session walk-ins, 9:00 a.m. to 3:00 p.m.
Jan 15	Wed	Deadline for receipt of dissertations, education leadership portfolios and master's theses for degrees to be conferred in February 2020.
Jan 16	Thu	Last day to add or drop courses. (4-week classes) After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Jan 16	Thu	Deadline for changing dining plan – 4-week meal plan
Jan 20	Mon	Martin Luther King Holiday - classes suspended; University offices closed.
Jan 24	Fri	Last day to change registration or withdraw. (5-week classes)
Jan 28	Tue	Last day to change registration or withdraw. (4-week classes)
Feb 7	Fri	Last day of classes
Feb 8	Sat	Final examinations. Students leaving after Winter Session must checkout of residence hall by 6:00 p.m.
Feb 8	Sat	Last meal in dining halls – dinner
Feb 12	Wed	Deadline for winter session grades to be posted to UDSIS

**Spring Semester 2020**

Oct 15	Tue	Spring book orders are due by faculty to the UD Bookstore.
Nov 1	Fri	Undergraduate admission application deadline for first year and transfer students entering Spring Semester 2020.
Nov 11	Mon	Registration begins for Spring Semester 2020
Dec 2	Mon	Deadline for graduate admission applications for Spring 2020
Jan 6	Mon	Undergraduate Tuition/fee payment deadline for Spring 2020
Feb 6	Thu	Winter International New Student Orientation
Feb 7	Fri	Winter New Student Orientation
Feb 7	Fri	Last day to apply for readmission for Spring 2020
Feb 9	Sun	Residence hall check-in noon to 6:00 p.m.
Feb 9	Sun	First meal in dining halls – brunch
Feb 10	Mon	Classes begin at 8:00 a.m. Residence hall check-in 11:00 a.m. - 3:00 p.m.
Feb 10	Mon	Graduate/PCS tuition/fee payment deadline for Spring 2020. Classes subject to cancellation after this date.
Feb 14	Fri	Deadline for filing application for graduate degrees to be conferred in May 2020.
Feb 21	Fri	Last day to add or drop courses. After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Feb 21	Fri	Last day to apply for a leave of absence for Spring 2020
Feb 21	Fri	Deadline for changing dining plan

Feb 21	Fri	<b>UNDERGRADUATE STUDENTS</b> - Deadline for completion of deferred examinations and incomplete work (grade I) from Fall Semester 2019, and Winter Session 2020.
Feb 24	Mon	Deadline for admission to doctoral candidacy for degrees conferred in May 2020. **Classes suspended **Spring break
Mar 12-13		
Mar 14-29		
Mar 16	Mon	Summer 2020 book orders are due by faculty to UD Bookstore.
Mar 30	Mon	**Classes resume in online format
Apr 6	Mon	Deadline for graduate admission applications for June 2020.
Apr 10	Fri	**Deadline for midterm grades to be posted to UDSIS
Apr 13	Mon	**There is some flexibility in deadlines for submission of doctoral dissertations and education leadership portfolios for degrees conferred in May 2020. Please contact <a href="#">Mary Martin</a> for additional details.
Apr 15	Wed	Fall 2020 book orders are due by Faculty to UD Bookstore.
Apr 20	Mon	**Registration for 2020 Summer Sessions begins
Apr 20	Mon	**There is some flexibility in deadlines for receipt of master's thesis for degrees to be conferred in May 2020. Please contact <a href="#">Mary Martin</a> for additional details.
May 1	Fri	**Last day to change registration or to withdraw from courses without academic penalty for Spring 2020
May 1	Fri	Undergraduate admission application deadline for first year students entering Fall 2020
May 1	Fri	Admissions deposit deadline for first year students
May 1	Fri	Deadline for admission to doctoral candidacy for degrees to be conferred in August 2020.
May 4	Mon	**Registration begins for Fall Semester 2020
May 4	Mon	Deadline for filing application for graduate degrees to be conferred in August 2020.
May 15	Fri	<b>GRADUATE STUDENTS</b> - Deadline for completion of deferred examinations and incomplete work (grade I) from Fall Semester 2019 and Winter Session 2020.
May 18	Mon	Last class day; classes end at 10:00 p.m.
May 18	Mon	Last day for medical leave of absence to be processed
May 19	Tue	Reading Day, no examinations scheduled.
May 20	Wed	Final examinations begin.
May 25	Mon	Memorial Day observed; no exams, offices closed
May 28	Thu	Final examinations end.
May 29	Fri	**Postponed -Honors degree breakfast, Doctoral Hooding and some college convocations.
May 30	Sat	**Postponed -Commencement followed by remaining college convocations.
Jun 1	Mon	Deadline for Spring semester grades to be posted to UDSIS
Jun 5	Fri	** Canceled - Alumni Weekend begins
Jun 9	Tue	**Last day to submit a change from letter grade to High Pass/Mid Pass grading option

## First Summer Session 2020

Mar 16	Mon	Summer book orders are due by faculty to the UD Bookstore.
Apr 20	Mon	**Registration for 2020 Summer Sessions begins
May 1	Fri	Deadline for admission to doctoral candidacy for degrees to be conferred in August 2020.
May 4	Mon	Deadline for filing application for graduate degrees to be conferred in August 2020.
Jun 5	Fri	Last day to apply for readmission for Summer 2020
Jun 8	Mon	Classes begin at 8:00 a.m. - First Summer Session
Jun 8	Mon	Tuition/fee payment deadline First Summer Session
Jun 11	Thu	**Last day to add courses for First Summer Session (5-week and 7.5 week).

\*\* Changes due to Coronavirus COVID-19 Pandemic

Jun 19	Fri	**Last day to drop courses for First Summer Session. (5-week and 7.5 week) After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Jun 25	Thu	Last day to change registration or to withdraw from courses - first summer session (5-week course).
Jul 1	Wed	Deadline for graduate admission applications for Fall 2020. Most programs have earlier deadlines.
Jul 3	Fri	Independence Day Holiday observed; Classes suspended; University Offices closed. All dining services are closed.
Jul 7	Tue	Last day to change registration or to withdraw from courses - first summer session (7½-week course).
Jul 10	Fri	Classes end – 5-week Summer Session.
Jul 11	Sat	Final examinations- 5-week Summer Session. Students attending 5-week summer session to check out of residence halls by 7:00 p.m.
Jul 15	Wed	Deadline for 5-week Summer Session grades to be posted to UDSIS.
Jul 27	Mon	Classes end – 7½-week Summer Session classes meeting Monday/Wednesday.
Jul 28	Tue	Classes end – 7½-week Summer Session classes meeting Tuesday/Thursday.
Jul 29	Wed	Final exams - 7½-week Summer Session classes meeting Monday/Wednesday.
Jul 30	Thu	Final exams - 7½-week Summer Session classes meeting Tuesday/Thursday.
Aug 3	Mon	Deadline for 7½-week Summer Session grades to be posted to UDSIS.

## Second Summer Session 2020

Apr 20	Mon	**Registration for 2020 Summer Sessions begins.
Jul 13	Mon	Classes begin at 8:00 a.m. - Second Summer Session
Jul 13	Mon	Tuition/fee payment deadline for Second Summer Session.
Jul 13	Mon	Deadline for receipt of doctoral dissertations, education leadership portfolios and master's theses for degrees to be conferred in August 2020.
Jul 16	Thu	**Last day to add courses for Second Summer Session.
Jul 24	Fri	**Last day to drop courses for Second Summer Session. After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Jul 30	Thu	Last day to change registration or to withdraw from courses - Second Summer Session.
Aug 13	Thu	Last day of classes – Second Summer Session.
Aug 14	Fri	Final examinations.
Aug 18	Tues	Deadline for Second Summer Session grades to be posted to UDSIS.

## Summer Session 2020 – 10-week classes

Jun 17	Wed	**Last day to add 10-week courses.
Jun 19	Fri	**Last day to drop 10-week courses. After this date, no tuition will be rebated and a \$25 processing fee will be charged for change of registration; students withdrawing from courses will receive a grade of 'W' on permanent record.
Jul 16	Thu	Last day to change registration or withdraw from courses
Aug 14	Fri	Last day of final exams

## RELIGIOUS OBSERVANCES

Sunday, September 29, 2019 – Rosh Hashanah begins at sundown, continues next 2 days  
 Tuesday, October 8, 2019– Yom Kippur begins at sundown, continues following day  
 Wednesday, April 8, 2020 - Passover begins, continues for 7 days  
 Friday, April 10, 2020 – Good Friday

See policy in Faculty Handbook on excused absences.

Comprehensive List of Observances can be found here: [Interfaith calendar](#)

# EXHIBIT 12

REDACTED IN ITS ENTIRETY

# EXHIBIT 13

REDACTED IN ITS ENTIRETY

# EXHIBIT 14

REDACTED IN ITS ENTIRETY

# EXHIBIT 15

REDACTED IN ITS ENTIRETY

# EXHIBIT 17

REDACTED IN ITS ENTIRETY

# EXHIBIT 18

REDACTED IN ITS ENTIRETY

# EXHIBIT 19

REDACTED IN ITS ENTIRETY

# EXHIBIT 20

REDACTED IN ITS ENTIRETY

# EXHIBIT 21

REDACTED IN ITS ENTIRETY

# EXHIBIT 29

REDACTED IN ITS ENTIRETY

# EXHIBIT 30

REDACTED IN ITS ENTIRETY

# EXHIBIT 31

REDACTED IN ITS ENTIRETY

# EXHIBIT 35

PUBLIC VERSION FILED 9/2/2022

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PENNY NINIVAGGI, et al., individually and  
on behalf of all others similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

HANNAH RUSSO, individually and on be-  
half of all others similarly situated,

Civil Action No. 20-cv-1693-SB

*Plaintiff,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

**DEFENDANT THE UNIVERSITY OF DELAWARE'S FIRST SET OF REQUESTS FOR  
ADMISSION DIRECTED TO PLAINTIFFS**

Defendant the University of Delaware (the “University” or “Defendant”), by and through its undersigned counsel, and pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure (the “Rules”), hereby serves on Plaintiffs the following Requests for Admission (the “Requests” and each a “Request”), and request each named Plaintiff separately admit to facts contained herein. Pursuant to Rule 36(a)(3), if an answer to any Request for Admission is not received within thirty (30) days, the facts contained in that Request for Admission will be deemed admitted.

**DEFINITIONS AND INSTRUCTIONS**

1. “Action” means the above-captioned action.
2. “Plaintiffs,” “You,” or “Your” means Penny Ninivaggi, Michael Ninivaggi, Todd

Mickey, Jake Mickey, James Nigrelli, Cailin Nigrelli, and Hannah Russo, and anyone purporting to act on your behalf or for your benefit at any time. For each named Plaintiff, “You” or “Your” shall mean that particular Plaintiff responding to the Requests.

3. “Defendant” means the University of Delaware.
4. The “University” means the University of Delaware.
5. “Complaint” means the complaint filed by Russo in the Superior Court of Delaware under the name *Russo v. University of Delaware* (No. N20C-11-164 PRW CCLD), the complaint filed by Ninivaggi *et al.* in the Superior Court of Delaware under the name *Ninivaggi et al. v. University of Delaware* (No. N20C-08-121 DCS), or the Consolidated Class Action Complaint filed on September 3, 2021, in the above captioned matters. (*See Russo* D.I. 24).
6. “Answer” means the Answer and corresponding Affirmative Defenses to the Consolidated Class Action Complaint filed by the University on September 17, 2021. (*See Russo* D.I. 25).
7. “Fees Class” means the putative class alleged in Paragraph 55 of the Consolidated Class Action Complaint. The University denies that any and all alleged “classes” can properly be certified in this matter, and reserves all rights to contest any allegation that such “classes” exist in this matter, so this label is only for reference during discovery.
8. “Use” or “Used” should be interpreted broadly to include its ordinary meaning, as well as to utilize, consume, take advantage of, or put into action or service
9. “Document” or “documents” means the original and any non-identical copy (whether different from the originals because of notes made on such copies or otherwise) of writings or recordings of every kind and description, whether made by hand or by mechanical, electronic,

photographic, or other means including, but not limited to, letters, notes, correspondence, electronic mail, reports, proposals, change of orders, certifications, memoranda, agreements, contracts, contract modifications, field directives, clarifications, work orders, recordings, memorials of telephone conversations, meeting minutes, inter-office and intra-office communications, work papers, bids, bid evaluation records or notes, invoices, bills, purchase orders, vouchers, pay requests, progress reports, inspection reports, quality records, contract drawings, engineering drawings, working drawings, shop drawings, sketches, diagrams, accounting records, checks, drafts, statements, audio or video recordings, schedules, bar charts, logic diagrams, network analysis, schedule of progress updates, diaries, daily reports, receipts, bills of lading, summaries, notations of any sort of conversations, printed matter, teletype, telefax, worksheets, studies, analyses, tabulations, comments, manuals, instructions, recorded recollections, all drafts, alterations, modifications, changes, and amendments of any of the foregoing, or any other written material of any nature whatsoever, as well as all graphic or oral records or representation of any kind (including, without limitation, photographs, charts, graphs, microfiche, microfilm, videotapes, recordings, motion pictures), and any electronic, mechanical or electrical records or representations of any kind (including, without limitation, Electronic mail, tapes, cassettes, discs, recordings in computer memories, metadata) and any other written, recorded, or reproduced material and any material underlying, supporting, or used in the preparation of any such document.

10. “Communication” means all meetings, oral conversations, conferences, telephone conversations, letters, telegrams, telexes, mailgrams, xerographic transmissions, faxes, emails, transmissions between computer terminals, and all oral or written expressions however transmitted or recorded.

11. The words “and” as well as “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of a particular Requests any response which might otherwise be construed to be outside its scope.

12. The phrase “relating to” or any derivative thereof means consisting of or referring to, reflecting, or being in any way legally, logically, or factually connected with the matter discussed.

13. The use of the word “including” shall be construed to mean “without limitation.”

14. Each named Plaintiff must respond separately and must submit responses under oath with a copy served on counsel for the Defendant.

15. Your response to each Request must specifically admit or deny the matter set forth therein, or set forth in detail the reasons why the Request cannot truthfully be admitted or denied. A denial must fairly meet the substance of the requested admission. If your response is qualified in any way, you must specify that portion of the Request which is admitted and that portion which is qualified or denied. If you object to part of any Request, the part to which there is no objection must be admitted or denied.

16. A Request for Admission may not be objected to solely on the basis that the matter for which an admission is requested presents a genuine issue for trial.

17. Lack of knowledge or information is an insufficient basis for failure to admit or deny a Request for Admission, unless you have made reasonable inquiry and the information known to or readily obtainable by you is insufficient to enable you to admit or deny the Request. You shall not fail to answer any Request on the basis that another party is in whole or in part the subject of the Request, if the information either known to or readily obtainable by you upon reasonable inquiry is sufficient to enable you to respond to all or part of the Request.

18. These Requests are of an ongoing nature, and should you acquire additional information respective to these Requests, the answers shall be updated to provide the additional information.

19. If a privilege not to answer is claimed, identify each matter as to which the privilege is claimed, the nature of the privilege, and the legal and factual basis for each such claim.

20. Answer each Request on the basis of your entire knowledge, including information in the possession of you, your representatives, agents, and attorneys.

21. The singular includes the plural and the plural includes the singular.

22. If, in responding to these Requests, you claim any ambiguity in interpreting either the Request or a definition or instruction applicable thereto, do not use that claim as a basis for refusing to respond. Rather, respond to the Request, setting forth as part of the written response the language claimed to be ambiguous and the interpretation chosen or used in responding to the Request.

23. Produce copies of all documents to which the responses refer.

24. If you file objections to any of the Requests, you must nevertheless answer the remaining Requests within the required period of time.

**REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION NO. 1:** Admit that You are currently enrolled at the University.

RESPONSE TO REQUEST NO. 1:

**REQUEST FOR ADMISSION NO. 2:** Admit that You did not apply for any third-party scholarships in connection with your enrollment at the University.

RESPONSE TO REQUEST NO. 2:

**REQUEST FOR ADMISSION NO. 3:** Admit that You did not fill out a Free Application for Federal Student Aid.

RESPONSE TO REQUEST NO. 3:

**REQUEST FOR ADMISSION NO. 4:** Admit that You did not make any request to the University for a refund of Your tuition for the Spring 2020 semester.

RESPONSE TO REQUEST NO. 4:

**REQUEST FOR ADMISSION NO. 5:** Admit that You did not make any request to the University for a refund of the fees charged by the University for the Spring 2020 semester.

RESPONSE TO REQUEST NO. 5:

**REQUEST FOR ADMISSION NO. 6:** Admit that You did not withdraw from the University for the Spring 2020 academic semester.

RESPONSE TO REQUEST NO. 6:

**REQUEST FOR ADMISSION NO. 7:** Admit that You did not seek to withdraw from the University for the Spring 2020 academic semester.

RESPONSE TO REQUEST NO. 7:

**REQUEST FOR ADMISSION NO. 8:** Admit that You re-enrolled at the University for the Fall 2020 academic semester after knowing that the Fall 2020 Semester would be conducted at least in-part remotely..

RESPONSE TO REQUEST NO. 8:

**REQUEST FOR ADMISSION NO. 9:** Admit that, prior to the University's transition to remote instruction during the Spring 2020 academic semester, not every student at the University used, or participated in, services relating to the Student Center Fee.

RESPONSE TO REQUEST NO. 9:

**REQUEST FOR ADMISSION NO. 10:** Admit that, prior to the University's transition to remote instruction during the Spring 2020 academic semester, not every student at the University used, or participated in, services relating to the Comprehensive Student Fee.

RESPONSE TO REQUEST NO. 10:

**REQUEST FOR ADMISSION NO. 11:** Admit that, prior to the University's transition to remote instruction during the Spring 2020 academic semester, not every student at the University used, or participated in, services relating to the Student Wellbeing Fee.

RESPONSE TO REQUEST NO. 11:

**REQUEST FOR ADMISSION NO. 12:** Admit that, after the University's transition to remote instruction during the Spring 2020 academic semester, students were able to participate in (either remotely or in-person) some services, events, or student activities offered by the University.

RESPONSE TO REQUEST NO. 12:

**REQUEST FOR ADMISSION NO. 13:** Admit that You used, or participated in, (either remotely or in-person) at least one service, resource, event, or activity (including a student activity) offered by the University after the University's transition to remote instruction during the Spring 2020 academic semester.

RESPONSE TO REQUEST NO. 13:

**REQUEST FOR ADMISSION NO. 14:** Admit that Your degree progress was not slowed or impeded because of the University's shift to remote instruction during the Spring 2020 academic semester.

RESPONSE TO REQUEST NO. 14:

**REQUEST FOR ADMISSION NO. 15:** Admit that You completed all courses for which you were enrolled during the Spring 2020 academic semester.

RESPONSE TO REQUEST NO. 15:

**REQUEST FOR ADMISSION NO. 16:** Admit that you received full credits for each course that you completed during the Spring 2020 academic semester.

RESPONSE TO REQUEST NO. 16:

**SAUL EWING ARNSTEIN & LEHR LLP**

/s/ James D. Taylor, Jr.

---

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*Counsel for Defendant University of Delaware*

Dated: March 24, 2022

# EXHIBIT 36

PUBLIC VERSION FILED 9/2/2022

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PENNY NINIVAGGI, et al., individually and  
on behalf of all others similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

HANNAH RUSSO, individually and on be-  
half of all others similarly situated,

Civil Action No. 20-cv-1693-SB

*Plaintiff,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

**DEFENDANT THE UNIVERSITY OF DELAWARE'S SECOND SET OF REQUESTS  
FOR ADMISSION DIRECTED TO PLAINTIFFS**

Defendant the University of Delaware (the “University” or “Defendant”), by and through its undersigned counsel, and pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure (the “Rules”), hereby serves on Plaintiffs the following Requests for Admission (the “Requests” and each a “Request”), and request each named Plaintiff separately admit to facts contained herein. Pursuant to Rule 36(a)(3), if an answer to any Request for Admission is not received within thirty (30) days, the facts contained in that Request for Admission will be deemed admitted.

**DEFINITIONS AND INSTRUCTIONS**

1. “Action” means the above-captioned action.
2. “Plaintiffs,” “You,” or “Your” means Penny Ninivaggi, Michael Ninivaggi, Todd

Mickey, Jake Mickey, James Nigrelli, Cailin Nigrelli, and Hannah Russo, and anyone purporting to act on your behalf or for your benefit at any time. For each named Plaintiff, “You” or “Your” shall mean that particular Plaintiff responding to the Requests.

3. “Defendant” means the University of Delaware.
4. The “University” means the University of Delaware.
5. “Complaint” means the complaint filed by Russo in the Superior Court of Delaware under the name *Russo v. University of Delaware* (No. N20C-11-164 PRW CCLD), the complaint filed by Ninivaggi *et al.* in the Superior Court of Delaware under the name *Ninivaggi et al. v. University of Delaware* (No. N20C-08-121 DCS), or the Consolidated Class Action Complaint filed on September 3, 2021, in the above captioned matters. (*See Russo* D.I. 24).
6. “Answer” means the Answer and corresponding Affirmative Defenses to the Consolidated Class Action Complaint filed by the University on September 17, 2021. (*See Russo* D.I. 25).
7. “Fees Class” means the putative class alleged in Paragraph 55 of the Consolidated Class Action Complaint. The University denies that any and all alleged “classes” can properly be certified in this matter, and reserves all rights to contest any allegation that such “classes” exist in this matter, so this label is only for reference during discovery.
8. “Use” or “Used” should be interpreted broadly to include its ordinary meaning, as well as to utilize, consume, take advantage of, or put into action or service.
9. “Document” or “documents” means the original and any non-identical copy (whether different from the originals because of notes made on such copies or otherwise) of writings or recordings of every kind and description, whether made by hand or by mechanical, electronic,

photographic, or other means including, but not limited to, letters, notes, correspondence, electronic mail, reports, proposals, change of orders, certifications, memoranda, agreements, contracts, contract modifications, field directives, clarifications, work orders, recordings, memorials of telephone conversations, meeting minutes, inter-office and intra-office communications, work papers, bids, bid evaluation records or notes, invoices, bills, purchase orders, vouchers, pay requests, progress reports, inspection reports, quality records, contract drawings, engineering drawings, working drawings, shop drawings, sketches, diagrams, accounting records, checks, drafts, statements, audio or video recordings, schedules, bar charts, logic diagrams, network analysis, schedule of progress updates, diaries, daily reports, receipts, bills of lading, summaries, notations of any sort of conversations, printed matter, teletype, telefax, worksheets, studies, analyses, tabulations, comments, manuals, instructions, recorded recollections, all drafts, alterations, modifications, changes, and amendments of any of the foregoing, or any other written material of any nature whatsoever, as well as all graphic or oral records or representation of any kind (including, without limitation, photographs, charts, graphs, microfiche, microfilm, videotapes, recordings, motion pictures), and any electronic, mechanical or electrical records or representations of any kind (including, without limitation, Electronic mail, tapes, cassettes, discs, recordings in computer memories, metadata) and any other written, recorded, or reproduced material and any material underlying, supporting, or used in the preparation of any such document.

10. “Communication” means all meetings, oral conversations, conferences, telephone conversations, letters, telegrams, telexes, mailgrams, xerographic transmissions, faxes, emails, transmissions between computer terminals, and all oral or written expressions however transmitted or recorded.

11. The words “and” as well as “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of a particular Requests any response which might otherwise be construed to be outside its scope.

12. The phrase “relating to” or any derivative thereof means consisting of or referring to, reflecting, or being in any way legally, logically, or factually connected with the matter discussed.

13. The use of the word “including” shall be construed to mean “without limitation.”

14. Each named Plaintiff must respond separately and must submit responses under oath with a copy served on counsel for the Defendant.

15. Your response to each Request must specifically admit or deny the matter set forth therein, or set forth in detail the reasons why the Request cannot truthfully be admitted or denied. A denial must fairly meet the substance of the requested admission. If your response is qualified in any way, you must specify that portion of the Request which is admitted and that portion which is qualified or denied. If you object to part of any Request, the part to which there is no objection must be admitted or denied.

16. A Request for Admission may not be objected to solely on the basis that the matter for which an admission is requested presents a genuine issue for trial.

17. Lack of knowledge or information is an insufficient basis for failure to admit or deny a Request for Admission, unless you have made reasonable inquiry and the information known to or readily obtainable by you is insufficient to enable you to admit or deny the Request. You shall not fail to answer any Request on the basis that another party is in whole or in part the subject of the Request, if the information either known to or readily obtainable by you upon reasonable inquiry is sufficient to enable you to respond to all or part of the Request.

18. These Requests are of an ongoing nature, and should you acquire additional information respective to these Requests, the answers shall be updated to provide the additional information.

19. If a privilege not to answer is claimed, identify each matter as to which the privilege is claimed, the nature of the privilege, and the legal and factual basis for each such claim.

20. Answer each Request on the basis of your entire knowledge, including information in the possession of you, your representatives, agents, and attorneys.

21. The singular includes the plural and the plural includes the singular.

22. If, in responding to these Requests, you claim any ambiguity in interpreting either the Request or a definition or instruction applicable thereto, do not use that claim as a basis for refusing to respond. Rather, respond to the Request, setting forth as part of the written response the language claimed to be ambiguous and the interpretation chosen or used in responding to the Request.

23. Produce copies of all documents to which the responses refer.

24. If you file objections to any of the Requests, you must nevertheless answer the remaining Requests within the required period of time.

**REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION NO. 1:** Admit that the University continued to provide health or medical services, including via video-conference, to its students during the Spring 2020 semester after the University transitioned to remote instruction.

RESPONSE TO REQUEST NO. 1:

**REQUEST FOR ADMISSION NO. 2:** Admit that the University continued to provide mental health counseling services, including via video-conference, to its students during the Spring 2020 semester after the University transitioned to remote instruction.

RESPONSE TO REQUEST NO. 2:

**REQUEST FOR ADMISSION NO. 3:** Admit that the University continued to provide virtual and online student activities, recreational programs, performing arts, student organization activities, student meetings, or student programming to its students during the Spring 2020 semester after the University transitioned to remote instruction.

RESPONSE TO REQUEST NO. 3:

**REQUEST FOR ADMISSION NO. 4:** Admit that executive orders issued by Delaware Governor John C. Carney prohibited the University from offering in-person instruction during portions of the Spring 2020 semester.

RESPONSE TO REQUEST NO. 4:

**SAUL EWING ARNSTEIN & LEHR LLP**

/s/ James D. Taylor, Jr.

James D. Taylor, Jr. (#4009)

Marisa R. De Feo (#6778)

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*Counsel for Defendant University of Delaware*

Dated: April 29, 2022

# EXHIBIT 37

PUBLIC VERSION FILED 9/2/2022

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PENNY NINIVAGGI, et al., individually and on behalf of all others similarly situated,

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

HANNAH RUSSO, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

Civil Action No. 20-cv-1693-SB

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**PLAINTIFF CAILIN NIGRELLI'S RESPONSES TO DEFENDANT  
UNIVERSITY OF DELAWARE'S FIRST SET OF REQUESTS FOR ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiff Cailin Nigrelli (“Plaintiff”) through the undersigned responds to the following responses to the First Set of Requests for Admission to Plaintiffs (each a “Request” and collectively, the “Requests”) by the Defendant University of Delaware (“Defendant”). The following responses are made solely for the purposes of this action. Each response is subject to all objections as to relevance, materiality, and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court.

No incidental or implied admissions are intended by these responses. The fact that Plaintiff has objected or responded to any Request shall not be deemed an admission that

Plaintiff accepts or admits the existence of any facts set forth or assumed by such Request or that such objection or response constitutes admissible evidence. The fact that Plaintiff has responded to part or all of any Request is not intended to and shall not be construed to be a waiver by Plaintiff of any part of any objection to any Request.

The responses and objections are made on the basis of information and writing currently available to and located by Plaintiffs upon reasonable investigation. Plaintiffs expressly reserve the right to modify, revise, supplement, or amend their responses to these Requests in accordance with Fed. R. Civ. P. 26(e).

**RESPONSES TO REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION NO. 1:**

Admit that You are currently enrolled at the University.

**RESPONSE TO REQUEST NO. 1:**

Admitted.

**REQUEST FOR ADMISSION NO. 2:**

Admit that You did not apply for any third-party scholarships in connection with your enrollment at the University.

**RESPONSE TO REQUEST NO. 2:**

Admitted.

**REQUEST FOR ADMISSION NO. 3:**

Admit that You did not fill out Free Application for Federal Student Aid.

**RESPONSE TO REQUEST NO. 3:**

Admitted.

**REQUEST FOR ADMISSION NO. 4:**

Admit that You did not make any request to the University for a refund of Your tuition for the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 4:**

Admitted.

**REQUEST FOR ADMISSION NO. 5:**

Admit that You did not make any request to the University for a refund of the fees charged by the University for the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 5:**

Admitted.

**REQUEST FOR ADMISSION NO. 6:**

Admit You did not withdraw from the University for the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 6:**

Admitted.

**REQUEST FOR ADMISSION NO. 7:**

Admit that You did not seek withdraw from the University for the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 7:**

Admitted.

**REQUEST FOR ADMISSION NO. 8:**

Admit that You re-enrolled at the University for the Fall 2020 academic semester after knowing that the Fall 2020 Semester would be conducted at least in-part remotely.

**RESPONSE TO REQUEST NO. 8:**

Denied.

**REQUEST FOR ADMISSION NO. 9:**

Admit that, prior to the University's transition to the remote instruction during the Spring 2020 academic semester, not every student at the University used, or participated in services relation to the Student Center Free.

**RESPONSE TO REQUEST NO. 9:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 10:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, not every student at the university used, or participated in services, relating to the Student Center Fee.

**RESPONSE TO REQUEST NO. 10:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 11:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, not every student at the university used, or participated in services, relating to the Student Wellbeing Fee.

**RESPONSE TO REQUEST NO. 11:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 12:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, students were able to participate in (either remotely or in-person) some services, events, or student activities offered by the University.

**RESPONSE TO REQUEST NO. 12:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 13:**

Admit that You used, or participated in, (either remotely or in person) at least one service, resource, event, or activity (including a student activity) offered by the University after the University's transition to remote instruction during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 13:**

Admitted.

**REQUEST FOR ADMISSION NO. 14:**

Admit that Your degree progress was not slowed or impeded because of the university's shift to remote instruction during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 14:**

Denied.

**REQUEST FOR ADMISSION NO. 15:**

Admit that You completed all courses for which you were enrolled during the Spring

2020 academic semester.

**RESPONSE TO REQUEST NO. 15:**

Denied.

**REQUEST FOR ADMISSION NO. 16:**

Admit that you received full credits for each course that you completed during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 16:**

Admitted.

Dated: May 9, 2022

**CHIMICLES SCHWARTZ KRINER &  
DONALDSON-SMITH LLP**

/s/ Robert J. Kriner, Jr.

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*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PENNY NINIVAGGI, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

HANNAH RUSSO, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1693-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

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**PLAINTIFF JAKE MICKEY'S RESPONSES TO DEFENDANT  
UNIVERSITY OF DELAWARE'S FIRST SET OF REQUESTS FOR ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiff Jake Mickey (“Plaintiff”) through the undersigned responds to the following responses to the First Set of Requests for Admission to Plaintiffs (each a “Request” and collectively, the “Requests”) by the Defendant University of Delaware (“Defendant”). The following responses are made solely for the purposes of this action. Each response is subject to all objections as to relevance, materiality, and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court.

No incidental or implied admissions are intended by these responses. The fact that Plaintiff has objected or responded to any Request shall not be deemed an admission that

Plaintiff accepts or admits the existence of any facts set forth or assumed by such Request or that such objection or response constitutes admissible evidence. The fact that Plaintiff has responded to part or all of any Request is not intended to and shall not be construed to be a waiver by Plaintiff of any part of any objection to any Request.

The responses and objections are made on the basis of information and writing currently available to and located by Plaintiffs upon reasonable investigation. Plaintiffs expressly reserve the right to modify, revise, supplement, or amend their responses to these Requests in accordance with Fed. R. Civ. P. 26(e).

### **RESPONSES TO REQUESTS FOR ADMISSION**

#### **REQUEST FOR ADMISSION NO. 1:**

Admit that You are currently enrolled at the University.

#### **RESPONSE TO REQUEST NO. 1:**

Admitted.

#### **REQUEST FOR ADMISSION NO. 2:**

Admit that You did not apply for any third-party scholarships in connection with your enrollment at the University.

#### **RESPONSE TO REQUEST NO. 2:**

Admitted.

#### **REQUEST FOR ADMISSION NO.3:**

Admit that You did not fill out Free Application for Federal Student Aid.

#### **RESPONSE TO REQUEST NO. 3:**

Admitted.

**REQUEST FOR ADMISSION NO. 4:**

Admit that You did not make any request to the University for a refund of Your tuition for the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 4:**

Admitted.

**REQUEST FOR ADMISSION NO. 5:**

Admit that You did not make any request to the University for a refund of the fees charged by the University for the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 5:**

Admitted.

**REQUEST FOR ADMISSION NO. 6:**

Admit You did not withdraw from the University for the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 6:**

Admitted

**REQUEST FOR ADMISSION NO. 7:**

Admit that You did not seek withdraw from the University for the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 7:**

Admitted.

**REQUEST FOR ADMISSION NO. 8:**

Admit that You re-enrolled at the University for the Fall 2020 academic semester after knowing that the Fall 2020 Semester would be conducted at least in-part remotely.

**RESPONSE TO REQUEST NO. 8:**

Denied.

**REQUEST FOR ADMISSION NO. 9:**

Admit that, prior to the University's transition to the remote instruction during the Spring 2020 academic semester, not every student at the University used, or participated in services relation to the Student Center Free.

**RESPONSE TO REQUEST NO. 9:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 10:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, not every student at the university used, or participated in services, relating to the Student Center Fee.

**RESPONSE TO REQUEST NO. 10:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 11:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, not every student at the university used, or participated in services, relating to the Student Wellbeing Fee.

**RESPONSE TO REQUEST NO. 11:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 12:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, students were able to participate in (either remotely or in-person) some services, events, or student activities offered by the University.

**RESPONSE TO REQUEST NO. 12:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 13:**

Admit that You used, or participated in, (either remotely or in person) at least one service, resource, event, or activity (including a student activity) offered by the University after the University's transition to remote instruction during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 13:**

Admitted.

**REQUEST FOR ADMISSION NO. 14:**

Admit that Your degree progress was not slowed or impeded because of the university's shift to remote instruction during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 14:**

Denied.

**REQUEST FOR ADMISSION NO. 15:**

Admit that You completed all courses for which you were enrolled during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 15:**

Denied.

**REQUEST FOR ADMISSION NO. 16:**

Admit that you received full credits for each course that you completed during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 16:**

Admitted.

Dated: May 9, 2022

**CHIMICLES SCHWARTZ KRINER &  
DONALDSON-SMITH LLP**

/s/ Robert J. Kriner, Jr.

Robert J. Kriner, Jr. (#2546)  
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*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PENNY NINIVAGGI, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

HANNAH RUSSO, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1693-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

**PLAINTIFF MICHAEL NINIVAGGI'S RESPONSES TO DEFENDANT  
UNIVERSITY OF DELAWARE'S FIRST SET OF REQUESTS FOR ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiff Michael Ninivaggi (“Plaintiff”) through the undersigned responds to the following responses to the First Set of Requests for Admission to Plaintiffs (each a “Request” and collectively, the “Requests”) by the Defendant University of Delaware (“Defendant”). The following responses are made solely for the purposes of this action. Each response is subject to all objections as to relevance, materiality, and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court.

No incidental or implied admissions are intended by these responses. The fact that Plaintiff has objected or responded to any Request shall not be deemed an admission that

Plaintiff accepts or admits the existence of any facts set forth or assumed by such Request or that such objection or response constitutes admissible evidence. The fact that Plaintiff has responded to part or all of any Request is not intended to and shall not be construed to be a waiver by Plaintiff of any part of any objection to any Request.

The responses and objections are made on the basis of information and writing currently available to and located by Plaintiffs upon reasonable investigation. Plaintiffs expressly reserve the right to modify, revise, supplement, or amend their responses to these Requests in accordance with Fed. R. Civ. P. 26(e).

**RESPONSES TO REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION NO. 1:**

Admit that You are currently enrolled at the University.

**RESPONSE TO REQUEST NO. 1:**

Admitted.

**REQUEST FOR ADMISSION NO. 2:**

Admit that You did not apply for any third-party scholarships in connection with your enrollment at the University.

**RESPONSE TO REQUEST NO. 2:**

Denied.

**REQUEST FOR ADMISSION NO.3:**

Admit that You did not fill out Free Application for Federal Student Aid.

**RESPONSE TO REQUEST NO. 3:**

Denied. Plaintiff's parents filled out a FASFA application on Plaintiff's behalf.

**REQUEST FOR ADMISSION NO. 4:**

Admit that You did not make any request to the University for a refund of Your tuition for the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 4:**

Admitted.

**REQUEST FOR ADMISSION NO. 5:**

Admit that You did not make any request to the University for a refund of the fees charged by the University for the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 5:**

Admitted.

**REQUEST FOR ADMISSION NO. 6:**

Admit You did not withdraw from the University for the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 6:**

Admitted.

**REQUEST FOR ADMISSION NO. 7:**

Admit that You did not seek withdraw from the University for the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 7:**

Admitted.

**REQUEST FOR ADMISSION NO. 8:**

Admit that You re-enrolled at the University for the Fall 2020 academic semester after

knowing that the Fall 2020 Semester would be conducted at least in-part remotely.

**RESPONSE TO REQUEST NO. 8:**

Denied.

**REQUEST FOR ADMISSION NO. 9:**

Admit that, prior to the University's transition to the remote instruction during the Spring 2020 academic semester, not every student at the University used, or participated in services relation to the Student Center Free.

**RESPONSE TO REQUEST NO. 9:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 10:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, not every student at the university used, or participated in services, relating to the Student Center Fee.

**RESPONSE TO REQUEST NO. 10:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 11:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, not every student at the university used, or participated in services, relating to the Student Wellbeing Fee.

**RESPONSE TO REQUEST NO. 11:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a

belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 12:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, students were able to participate in (either remotely or in-person) some services, events, or student activities offered by the University.

**RESPONSE TO REQUEST NO. 12:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 13:**

Admit that You used, or participated in, (either remotely or in person) at least one service, resource, event, or activity (including a student activity) offered by the University after the University's transition to remote instruction during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 13:**

Admitted.

**REQUEST FOR ADMISSION NO. 14:**

Admit that Your degree progress was not slowed or impeded because of the university's shift to remote instruction during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 14:**

Denied.

**REQUEST FOR ADMISSION NO. 15:**

Admit that You completed all courses for which you were enrolled during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 15:**

Denied.

**REQUEST FOR ADMISSION NO. 16:**

Admit that you received full credits for each course that you completed during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 16:**

Admitted.

Dated: May 9, 2022

**CHIMICLES SCHWARTZ KRINER &  
DONALDSON-SMITH LLP**

/s/ Robert J. Kriner, Jr.

Robert J. Kriner, Jr. (#2546)  
Scott M. Tucker (#4925)  
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*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PENNY NINIVAGGI, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

HANNAH RUSSO, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1693-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

**PLAINTIFF'S RESPONSES TO DEFENDANT UNIVERSITY OF DELAWARE'S FIRST SET OF REQUESTS FOR ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiff, Hannah Russo (“Plaintiff”) through the undersigned responds to the First Set of Requests for Admission to Plaintiffs (each a “Request” and collectively, the “Requests”) by the Defendant University of Delaware (“Defendant”). The following responses are made solely for the purposes of this action. Each response is subject to all objections as to relevance, materiality, and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court.

No incidental or implied admissions are intended by these responses. The fact that Plaintiff has objected or responded to any Request shall not be deemed an admission that Plaintiff accepts or admits the existence of any facts set forth or assumed by such Request or that such objection or response constitutes admissible evidence. The fact that Plaintiff has responded to part or all of any Request is not intended to and shall not be construed to be a waiver by Plaintiff of any part of any objection to any Request.

The responses and objections are made on the basis of information and writing currently available to and located by Plaintiff upon reasonable investigation. Plaintiff expressly reserves the right to modify, revise, supplement, or amend these responses to the Requests in accordance with Fed. R. Civ. P. 26(e).

**RESPONSES TO REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION NO. 1:**

Admit that You are currently enrolled at the University.

**RESPONSE TO REQUEST NO.1:**

Admitted.

**REQUEST FOR ADMISSION NO. 2:**

Admit that You did not apply for any third-party scholarships in connection with your enrollment at the University.

**RESPONSE TO REQUEST NO. 2:**

Admitted.

**REQUEST FOR ADMISSION NO.3:**

Admit that You did not fill out Free Application for Federal Student Aid.

**RESPONSE TO REQUEST NO. 3:**

Denied.

**REQUEST FOR ADMISSION NO. 4:**

Admit that You did not make any request to the University for a refund of Your tuition for the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 4:**

Admitted.

**REQUEST FOR ADMISSION NO. 5:**

Admit that You did not make any request to the University for a refund of the fees charged by the University for the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 5:**

Admitted.

**REQUEST FOR ADMISSION NO. 6:**

Admit You did not withdraw from the University for the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 6:**

Admitted.

**REQUEST FOR ADMISSION NO. 7:**

Admit that You did not seek withdraw from the University for the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 7:**

Admitted.

**REQUEST FOR ADMISSION NO. 8:**

Admit that You re-enrolled at the University for the Fall 2020 academic semester after knowing that the Fall 2020 Semester would be conducted at least in-part remotely.

**RESPONSE TO REQUEST NO. 8:**

Admitted to the extent that she had a strong belief that not 100% of classes are going to be held remotely.

**REQUEST FOR ADMISSION NO. 9:**

Admit that, prior to the University's transition to the remote instruction during the Spring 2020 academic semester, not every student at the University used, or participated in, services relation to the Student Center Fee.

**RESPONSE TO REQUEST NO. 9:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 10:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, not every student at the university used, or participated in services, relating to the Student Center Fee.

**RESPONSE TO REQUEST NO. 10:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 11:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, not every student at the university used, or participated in services, relating to the Student Wellbeing Fee.

**RESPONSE TO REQUEST NO. 11:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 12:**

Admit that, prior to the University's transition to remote instruction during the spring 2020 academic semester, students were able to participate in (either remotely or in-person) some services, events, or student activities offered by the University.

**RESPONSE TO REQUEST NO. 12:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 13:**

Admit that You used, or participated in, (either remotely or in person) at least one service, resource, event, or activity (including a student activity) offered by the University after the University's transition to remote instruction during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 13:**

Admitted.

**REQUEST FOR ADMISSION NO. 14:**

Admit that Your degree progress was not slowed or impeded because of the university's shift to remote instruction during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 14:**

Denied.

**REQUEST FOR ADMISSION NO. 15:**

Admit that You completed all courses for which you were enrolled during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 15:**

Denied.

**REQUEST FOR ADMISSION NO. 16:**

Admit that you received full credits for each course that you completed during the Spring 2020 academic semester.

**RESPONSE TO REQUEST NO. 16:**

Admitted.

Dated: May 9, 2022

Respectfully Submitted,

**CROSS & SIMON, LLC**

/s/ Michael L. Vild

Michael L. Vild (No. 3042)  
Christopher P. Simon (No. 3697)  
1105 N. Market Street, Suite 901  
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Wilmington, Delaware 19801-1380  
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*ATTORNEYS FOR PLAINTIFF RUSSO  
AND PROPOSED CLASS*

# EXHIBIT 38

PUBLIC VERSION FILED 9/2/2022

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PENNY NINIVAGGI, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

HANNAH RUSSO, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1693-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

**PLAINTIFF CAILIN NIGRELLI'S RESPONSES TO DEFENDANT  
UNIVERSITY OF DELAWARE'S SECOND SET OF REQUESTS FOR ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiff Cailin Nigrelli (“Plaintiff”) through the undersigned responds to the Second Set of Requests for Admission to Plaintiffs (each a “Request” and collectively, the “Requests”) by the Defendant University of Delaware (“Defendant”). The following responses are made solely for the purposes of this action. Each response is subject to all objections as to relevance, materiality, and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court.

No incidental or implied admissions are intended by these responses. The fact that Plaintiff has objected or responded to any Request shall not be deemed an admission that Plaintiff accepts

or admits the existence of any facts set forth or assumed by such Request or that such objection or response constitutes admissible evidence. The fact that Plaintiff has responded to part or all of any Request is not intended to and shall not be construed to be a waiver by Plaintiff of any part of any objection to any Request.

The responses and objections are made on the basis of information and writing currently available to and located by Plaintiff upon reasonable investigation. Plaintiff expressly reserves the right to modify, revise, supplement, or amend responses to these Requests in accordance with Fed. R. Civ. P. 26(e).

#### **RESPONSES TO REQUESTS FOR ADMISSION**

##### **REQUEST FOR ADMISSION NO. 17 [Incorrectly Labeled as RFA No. 1]:**

Admit that the University continued to provide health or medical services, including via video-conference, to its students during the Spring 2020 semester after the University transitioned to remote instruction.

##### **RESPONSE TO REQUEST NO. 17:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

##### **REQUEST FOR ADMISSION NO. 18 [Incorrectly Labeled as RFA No. 2]:**

Admit that the University continued to provide mental health counseling services, including via video-conference, to its students during the Spring 2020 semester after the University transitioned to remote instruction.

##### **RESPONSE TO REQUEST NO. 18:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 19 [Incorrectly Labeled as RFA No. 3]:**

Admit that the University continued to provide virtual and online student activities, recreational programs, performing arts, student organization activities, student meetings, or student programming to its students during the Spring 2020 semester after the University transitioned to remote instruction.

**RESPONSE TO REQUEST NO. 19:**

Admitted. The University may have provided some virtual online student programming during Spring 2020 semester. Plaintiff does not have knowledge of the specific virtual programming provided. The University did not provide the on-campus student programming, recreational programs, performing arts programs, or student organization activities for which students contracted when enrolling for Spring 2020 semester.

**REQUEST FOR ADMISSION NO. 20 [Incorrectly Labeled as RFA No. 4]:**

Admit that executive orders issued by Delaware Governor John C. Carney prohibited the University from offering in-person instruction during portions of the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 20:**

Denied. The executive orders issued by Delaware Governor John C. Carney did not specifically prohibit the University from offering in-person instruction.

Dated: May 27, 2022

**CHIMICLES SCHWARTZ KRINER &  
DONALDSON-SMITH LLP**

/s/ Robert J. Kriner, Jr.

Robert J. Kriner, Jr. (#2546)  
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*Attorneys for Plaintiff and the Proposed Class*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PENNY NINIVAGGI, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

HANNAH RUSSO, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1693-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

**PLAINTIFF JAKE MICKEY'S RESPONSES TO DEFENDANT  
UNIVERSITY OF DELAWARE'S SECOND SET OF REQUESTS FOR ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiff Jake Mickey (“Plaintiff”) through the undersigned responds to the Second Set of Requests for Admission to Plaintiffs (each a “Request” and collectively, the “Requests”) by the Defendant University of Delaware (“Defendant”). The following responses are made solely for the purposes of this action. Each response is subject to all objections as to relevance, materiality, and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court.

No incidental or implied admissions are intended by these responses. The fact that Plaintiff has objected or responded to any Request shall not be deemed an admission that Plaintiff accepts

or admits the existence of any facts set forth or assumed by such Request or that such objection or response constitutes admissible evidence. The fact that Plaintiff has responded to part or all of any Request is not intended to and shall not be construed to be a waiver by Plaintiff of any part of any objection to any Request.

The responses and objections are made on the basis of information and writing currently available to and located by Plaintiff upon reasonable investigation. Plaintiff expressly reserves the right to modify, revise, supplement, or amend responses to these Requests in accordance with Fed. R. Civ. P. 26(e).

#### **RESPONSES TO REQUESTS FOR ADMISSION**

##### **REQUEST FOR ADMISSION NO. 17 [Incorrectly Labeled as RFA No. 1]:**

Admit that the University continued to provide health or medical services, including via video-conference, to its students during the Spring 2020 semester after the University transitioned to remote instruction.

##### **RESPONSE TO REQUEST NO. 17:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

##### **REQUEST FOR ADMISSION NO. 18 [Incorrectly Labeled as RFA No. 2]:**

Admit that the University continued to provide mental health counseling services, including via video-conference, to its students during the Spring 2020 semester after the University transitioned to remote instruction.

##### **RESPONSE TO REQUEST NO. 18:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 19 [Incorrectly Labeled as RFA No. 3]:**

Admit that the University continued to provide virtual and online student activities, recreational programs, performing arts, student organization activities, student meetings, or student programming to its students during the Spring 2020 semester after the University transitioned to remote instruction.

**RESPONSE TO REQUEST NO. 19:**

Admitted. The University may have provided some virtual online student programming during Spring 2020 semester. Plaintiff does not have knowledge of the specific virtual programming provided. The University did not provide the on-campus student programming, recreational programs, performing arts programs, or student organization activities for which students contracted when enrolling for Spring 2020 semester.

**REQUEST FOR ADMISSION NO. 20 [Incorrectly Labeled as RFA No. 4]:**

Admit that executive orders issued by Delaware Governor John C. Carney prohibited the University from offering in-person instruction during portions of the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 20:**

Denied. The executive orders issued by Delaware Governor John C. Carney did not specifically prohibit the University from offering in-person instruction.

Dated: May 27, 2022

**CHIMICLES SCHWARTZ KRINER &  
DONALDSON-SMITH LLP**

/s/ Robert J. Kriner, Jr.

Robert J. Kriner, Jr. (#2546)  
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2711 Centerville Road, Suite 201  
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**BURSOR & FISHER, P.A.**

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*Attorneys for Plaintiff and the Proposed Class*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PENNY NINIVAGGI, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

HANNAH RUSSO, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1693-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

---

**PLAINTIFF MICHAEL NINIVAGGI'S RESPONSES TO DEFENDANT  
UNIVERSITY OF DELAWARE'S SECOND SET OF REQUESTS FOR ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiff Michael Ninivaggi (“Plaintiff”) through the undersigned responds to the First Set of Requests for Admission to Plaintiffs (each a “Request” and collectively, the “Requests”) by the Defendant University of Delaware (“Defendant”). The following responses are made solely for the purposes of this action. Each response is subject to all objections as to relevance, materiality, and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court.

No incidental or implied admissions are intended by these responses. The fact that Plaintiff has objected or responded to any Request shall not be deemed an admission that Plaintiff accepts

or admits the existence of any facts set forth or assumed by such Request or that such objection or response constitutes admissible evidence. The fact that Plaintiff has responded to part or all of any Request is not intended to and shall not be construed to be a waiver by Plaintiff of any part of any objection to any Request.

The responses and objections are made on the basis of information and writing currently available to and located by Plaintiff upon reasonable investigation. Plaintiff expressly reserves the right to modify, revise, supplement, or amend responses to these Requests in accordance with Fed. R. Civ. P. 26(e).

### **RESPONSES TO REQUESTS FOR ADMISSION**

#### **REQUEST FOR ADMISSION NO. 17 [Incorrectly Labeled as RFA No. 1]:**

Admit that the University continued to provide health or medical services, including via video-conference, to its students during the Spring 2020 semester after the University transitioned to remote instruction.

#### **RESPONSE TO REQUEST NO. 17:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

#### **REQUEST FOR ADMISSION NO. 18 [Incorrectly Labeled as RFA No. 2]:**

Admit that the University continued to provide mental health counseling services, including via video-conference, to its students during the Spring 2020 semester after the University transitioned to remote instruction.

#### **RESPONSE TO REQUEST NO. 18:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 19 [Incorrectly Labeled as RFA No. 3]:**

Admit that the University continued to provide virtual and online student activities, recreational programs, performing arts, student organization activities, student meetings, or student programming to its students during the Spring 2020 semester after the University transitioned to remote instruction.

**RESPONSE TO REQUEST NO. 19:**

Admitted. The University may have provided some virtual online student programming during Spring 2020 semester. Plaintiff does not have knowledge of the specific virtual programming provided. The University did not provide the on-campus student programming, recreational programs, performing arts programs, or student organization activities for which students contracted when enrolling for Spring 2020 semester.

**REQUEST FOR ADMISSION NO. 20 [Incorrectly Labeled as RFA No. 4]:**

Admit that executive orders issued by Delaware Governor John C. Carney prohibited the University from offering in-person instruction during portions of the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 20:**

Denied. The executive orders issued by Delaware Governor John C. Carney did not specifically prohibit the University from offering in-person instruction.

Dated: May 27, 2022

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*Attorneys for Plaintiff and the Proposed Class*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

PENNY NINIVAGGI, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

HANNAH RUSSO, et al., individually and on behalf of all others similarly situated,

Civil Action No. 20-cv-1693-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

**PLAINTIFFS' RESPONSES TO DEFENDANT UNIVERSITY OF DELAWARE'S  
SECOND SET OF REQUESTS FOR ADMISSION**

Pursuant to Rules 26 and 36 of the Federal Rules of Civil Procedure, Plaintiff Hannah Russo ("Plaintiff") through the undersigned responds to the Second Set of Requests for Admission to Plaintiff (each a "Request" and collectively, the "Requests") by the Defendant University of Delaware ("Defendant"). The following responses are made solely for the purposes of this action. Each response is subject to all objections as to relevance, materiality, and admissibility, and to any and all objections on any ground that would require exclusion of any response if it were introduced in court.

No incidental or implied admissions are intended by these responses. The fact that Plaintiff

have objected or responded to any Request shall not be deemed an admission that Plaintiff accepts or admits the existence of any facts set forth or assumed by such Request or that such objection or response constitutes admissible evidence. The fact that Plaintiff has responded to part or all of any Request is not intended to and shall not be construed to be a waiver by Plaintiff of any part of any objection to any Request.

The responses and objections are made on the basis of information and writing currently available to and located by Plaintiff upon reasonable investigation. Plaintiff expressly reserves the right to modify, revise, supplement, or amend responses to these Requests in accordance with Fed. R. Civ. P. 26(e).

**RESPONSES TO REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION NO. 17 [Incorrectly Labelled as Request No. 1]:**

Admit that the University continued to provide health or medical services, including via video-conference, to its students during the Spring 2020 semester after the University transitioned to remote instruction.

**RESPONSE TO REQUEST NO. 17:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO. 18: [Incorrectly Labelled as Request No. 2]:**

Admit that the University continued to provide mental health counseling services, including via video-conference, to its students during the Spring 2020 semester after the University transitioned to remote instruction.

**RESPONSE TO REQUEST NO. 18:**

Denied. Plaintiff does not have sufficient knowledge and information so as to form a

belief as to this request and therefore denies the same.

**REQUEST FOR ADMISSION NO.19: [Incorrectly Labelled as Request No. 3]:**

Admit that the University continued to provide virtual and online student activities, recreational programs, performing arts, student organization activities, student meetings, or student programming to its students during the Spring 2020 semester after the University transitioned to remote instruction.

**RESPONSE TO REQUEST NO. 19:**

Admitted. The University may have provided some limited virtual online student programming during Spring 2020 semester. Plaintiff does not have knowledge of the specific virtual programming provided. The University did not provide the on-campus student programming, recreational programs, performing arts programs, or student organization activities for which students contracted when enrolling for Spring 2020 semester.

**REQUEST FOR ADMISSION NO. 20: [Incorrectly Labelled as Request No. 4]:**

Admit that executive orders issued by Delaware Governor John C. Carney prohibited the University from offering in-person instruction during portions of the Spring 2020 semester.

**RESPONSE TO REQUEST NO. 20:**

Denied. The executive orders issued by Governor John C. Carney never specifically prohibited the University of Delaware from offering in-person educational instruction.

Dated: May 27, 2022

Respectfully Submitted,

**CROSS & SIMON, LLC**

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-AND-

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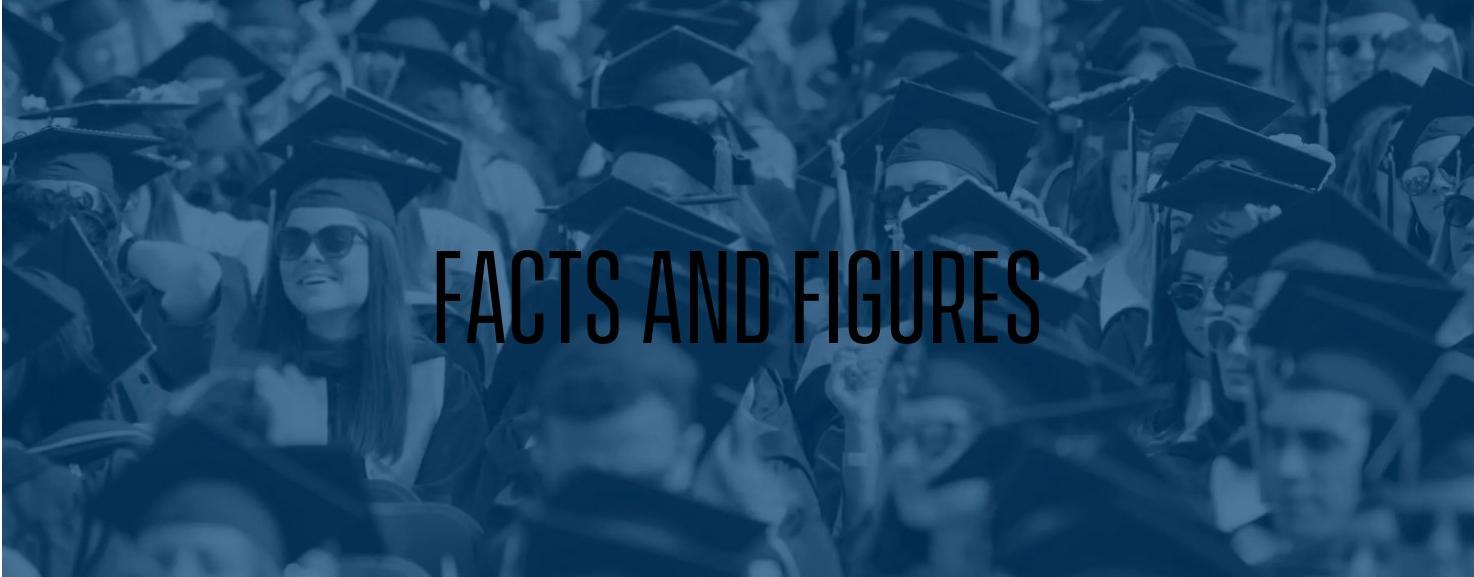
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*ATTORNEYS FOR PLAINTIFFS*

# EXHIBIT 40

PUBLIC VERSION FILE 9/2/2022



# FACTS AND FIGURES

## ABOUT UD (/ABOUT/)

LEADERSHIP (/ABOUT/LEADERSHIP/)

+

MISSION (/ABOUT/MISSION/)

EXPERIENCE UD (/ABOUT/VISIT/)

UD AND THE STATE OF DELAWARE (/ABOUT/UD-STATE-DELAWARE/)

HISTORY (/ABOUT/HISTORY/)

FACTS & FIGURES (/ABOUT/FACTS-FIGURES/)

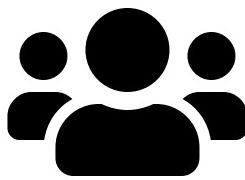
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UD FINANCIAL PROFILE (/ABOUT/FACTS-FIGURES/FINANCIAL-PROFILE/)

UD COMMUNITY (/ABOUT/UD-COMMUNITY/)

VALUES (/ABOUT/VALUES/)

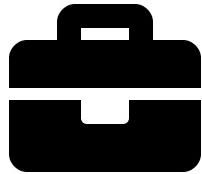
## ENROLLMENT



**18,618**  
undergraduate students



**4,285**  
graduate students



**710**  
Professional &  
Continuing Studies students



**23,613**  
total enrollment

**Main Campus:** Newark, Delaware

**Established:** 1743

**Motto:** Knowledge is the light of the mind

**President:** Dennis Assanis

**Employees:** 4,746

UD is a land-grant, sea-grant and space-grant university, tackling the biggest challenges facing our state, nation and the world.

## ACADEMIC PROGRAMS

150+ majors and minors

250+ graduate and post-baccalaureate programs

10 colleges and schools

- [College of Agriculture & Natural Resources \(/academics/colleges/canr/\)](/academics/colleges/canr/).
- [College of Arts & Sciences \(https://www.cas.udel.edu\)](https://www.cas.udel.edu).
- [Lerner College of Business & Economics \(https://www.lerner.udel.edu\)](https://www.lerner.udel.edu).
- [College of Earth, Ocean and Environment \(/academics/colleges/ceoe/\)](https://www.lerner.udel.edu).
- [College of Education & Human Development \(https://www.cehd.udel.edu\)](https://www.cehd.udel.edu).
- [College of Engineering \(https://www.engr.udel.edu\)](https://www.engr.udel.edu).
- [College of Health Sciences \(/academics/colleges/chs/\)](/academics/colleges/chs/).
- [Graduate College \(https://www.grad.udel.edu\)](https://www.grad.udel.edu).
- [Honors College \(https://sites.udel.edu/honors/\)](https://sites.udel.edu/honors/).
- [Biden School \(https://www.bidenschool.udel.edu/\)](https://www.bidenschool.udel.edu/).

# EXHIBIT 44

REDACTED IN ITS ENTIRETY

# EXHIBIT 45

REDACTED IN ITS ENTIRETY

# EXHIBIT 46

REDACTED IN ITS ENTIRETY

# EXHIBIT 47

REDACTED IN ITS ENTIRETY

# EXHIBIT 48

REDACTED IN ITS ENTIRETY

# EXHIBIT 49

REDACTED IN ITS ENTIRETY

# EXHIBIT 50

REDACTED IN ITS ENTIRETY

# EXHIBIT 51

REDACTED IN ITS ENTIRETY